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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,969	08/07/2002	Martin Brundert	61253.00030	4759
32294 7590 09/06/2007 SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182			EXAMINER JONES, PRENELL P	
			ART UNIT 2616	PAPER NUMBER
			MAIL DATE 09/06/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/070,969

Applicant(s)

BRUNDERT ET AL.

Examiner

Prenell P. Jones

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Response to Arguments

1. In light of Applicants amendments, Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Applicant has amended the specification, therefore, the previous 112 rejections directed towards claims 1-18 as indicated in the prior office action has been withdrawn.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 19-21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Applicant is claiming in newly added claims 19-21, "a control unit timer used in multiplexing unit has a larger value than a control unit timer of AAL2 cell streams," which is not described in the specification.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2616

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-14 and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants admitted prior art in view of Wakizaka (US Pat 6,639,916) and Petersen et al (US Pat 6,80,246).

Regarding claim 1, 6, 7, 15 and 16, Applicant has admitted on pages 1 thru paragraph 1 of page 3 via conventional/prior art that it is well known in the art if a WCDMA telecommunication environment to have an architecture which includes multiple base stations, radio network controller, transfer mode based on I_{UB} interface at multiple base stations including multiple radio sectors utilizing ATM AAL2 based on termination points, and each call is given a sector of a base station a call identification which are mapped.

However, Applicant fails to teach or suggest multiplexing AAL2 cells, which is sent from AAL2 assembling unit into a single ATM virtual connection.

In an ATM AAL receiving circuit, Wakizaka discloses handling, minimize cell processing and reducing circuit scale of radio system, wherein the architecture includes a circuit for processing AAL2 cells processed by a single AAL terminating unit, wherein a MUX is coupled to different AAL terminating units (Fig. 8, Abstract).

Although, Wakizaka fails to communicate processing of AAL2 cells in the opposite direction, to produce a single AAL2 VC from multiplexing of the two different AAL2 termination units, in an ATM system handling different AAL protocols, Petersen discloses handling of different AAL protocols in a communication environment wherein AAL2 is communicated between nodes, whereby the architecture further includes a plurality of base stations/termination associated with mobile stations/termination distributing data in a parallel manner (col. 8, line 50 thru col. 9, line 10), in addition AAL termination nodes operate along with AAL2 prime connections distributed in parallel with bidirectional functionality, whereby the processing of many AAL2 prime connections are multiplexed on a single ATM-VCC.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement combining AAL2 cells of different termination points in to a single ATM virtual connection as taught by the combined teaching of Wakizaka and Petersen with the teachings of Applicants admitted prior art for the purpose of further minimizing cell processing and scaling down communication system by utilizing a bidirectional functionality in the processing of AAL2.

Regarding claims 4, 9, 10, 12 and 17, as indicated above, combined Applicants admitted prior art Wakizaka (US Pat 6,639,916) and Petersen et al (US Pat 6,80,246) discloses communication in an radio ATM environment wherein the architecture includes processing multiple AAL2 cells into a single AAL2 VC.

Although Applicants admitted prior art and Wakizaka (US Pat 6,639,916) fail to teach or suggest switchable bypass line, Petersen further discloses links being bypassed by ATM cells destined for output (Fig. 16A, col. 39, line 7-11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement bypass line as taught by Petersen with the combined teachings of Applicants admitted prior art and Wakizaka (US Pat 6,639,916) for the purpose of further minimizing processing of cells.

Regarding claims 5, 13 and 18, as indicated above, combined Applicants admitted prior art Wakizaka (US Pat 6,639,916) and Petersen et al (US Pat 6,80,246) discloses communication in an radio ATM environment wherein the architecture includes processing multiple AAL2 cells into a single AAL2 VC.

Applicant has further admitted on page 7, line 10 of the amended specification that a plug-in device is well known in the art as being a specific feature or service to accommodate devices in a larger system.

7. Claims 2, 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants admitted prior art in view of Wakizaka (US Pat 6,639,916) and Petersen et al (US Pat 6,80,246) as applied to claims 1 above, and further in view of Negishi et al (US Pat 6,414,970).

Regarding claims 2, 11 and 14, as indicated above, combined Applicants admitted prior art Wakizaka (US Pat 6,639,916) and Petersen et al (US Pat 6,80,246) discloses communication in an radio ATM environment wherein the architecture includes processing multiple AAL2 cells into a single AAL2 VC.

However, Applicants admitted prior art, Wakizaka and Petersen fail to teach or suggest wherein both AAL2 streams coming from radio sectors and multiplexed stream have independent control unit timers.

In a telecommunication system, Negishi teach independent system clocks for each input stream associated with multiplexing (Fig. 9, System Clocks).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement independent clocks as associated with multiplexing data as taught by Negishi with the combined teachings of Applicants admitted prior art, Wakizaka (US Pat 6,639,916) and Petersen et al (US Pat 6,80,246) for the purpose of efficient use of bandwidth and synchronization of data streams.

Art Unit: 2616

8. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants admitted prior art, Wakizaka (US Pat 6,639,916) and Petersen et al (US Pat 6,80,246) as applied to claim 1 above, and further in view of Kuo (US Pat 6,810,030).

Regarding claims 3 and 8, as indicated above, combined Applicants admitted prior art Wakizaka (US Pat 6,639,916) and Petersen et al (US Pat 6,80,246) discloses communication in an radio ATM environment wherein the architecture includes processing multiple AAL2 cells into a single AAL2 VC.

However, Applicants admitted prior art, Wakizaka and Petersen fail to teach or suggest that each channel of the plurality of radio sectors has a different bandwidth.

In a telecommunication system Kuo discloses that 13k and 8k bandwidths are used in W-CDMA networks (col. 5, lines 48-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement each channel of plurality of radio sectors having a different bandwidth as taught by Kuo with the combined teachings of Applicants admitted prior art, Wakizaka (US Pat 6,639,916) and Petersen et al (US Pat 6,80,246) for the purpose of providing a variety of services.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell P. Jones whose telephone number is 571-272-3180. The examiner can normally be reached on 9:00-5:30.

Art Unit: 2616

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Wing Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Prenell P. Jones

August 24, 2007

PJ

Wing Chan
WING CHAN 8/31/07
SUPERVISORY PATENT EXAMINER